

Judge Pauley

08 CV 4912

James H. Power
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ATTORNEYS FOR PLAINTIFF
GLORY WEALTH SHIPPING PTE LTD.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GLORY WEALTH SHIPPING PTE LTD.,

Plaintiff,

-against-

NIAGARA MARITIME S.A.,

Defendant.

08 Civ. _____

**AFFIDAVIT IN
SUPPORT OF ATTACHMENT**

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

James H. Power, being duly sworn, deposes and says:

1. I am senior counsel with the firm of Holland & Knight LLP, attorneys for plaintiff Glory Wealth Shipping Pte Ltd. ("Plaintiff"), and I am duly admitted to practice before the United States District Court for the Southern District of New York.

2. I am familiar with the facts and circumstances underlying this dispute and I am submitting this affidavit in support of the Verified Complaint and the Writ of Attachment.

3. Our office contacted the New York Secretary of State for the State of New York, and was advised that Defendant is not a New York business entity. Our office also confirmed that Defendant is not a foreign business entity registered to do business in New York.

4. Our office also checked for the presence of Defendant in other sources. Defendant is not listed in the telephone directory of the principal metropolitan areas in this district, nor is it listed in the Transportation Tickler, a recognized commercial directory in the maritime industry.

5. Accordingly, to the best of my information and belief, Defendant cannot be found within this district or within the State of New York.

6. Based upon the facts set forth in the Verified Complaint, I respectfully submit that the Defendant is liable to Plaintiff for the damages alleged in the Verified Complaint, which amounts, as best as can be presently determined, amount to a total of \$2,838,823.40 including estimated interest, legal fees and expenses.

7. Upon information and belief, Defendant has property, goods, chattels or effects within this jurisdiction, to wit: funds or accounts held in the name of at one or more of the following financial institutions:

Bank of America, N.A., Bank of China, The Bank of New York, Citibank, N.A.

Deutsche Bank Trust Company Americas, HSBC Bank USA, N.A.

JPMorgan Chase Bank, N.A., UBS AG, Wachovia Bank, N.A., Société Générale,

Standard Chartered Bank, BNP Paribas, Calyon Investment Bank, American Express Bank, Commerzbank, ABN Amro Bank, Bank Leumi USA, Banco Popular

8. Plaintiff is, therefore, requesting that this Court, pursuant to Rule B(1) of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure, issue a writ of maritime attachment for an amount up to \$2,838,823.40.

WHEREFORE, Plaintiff respectfully requests that the application for a writ of maritime attachment and garnishment be granted.


James H. Power

Sworn to before me this
23rd day of May, 2008


Notary Public

DIALYZ E. MORALES
Notary Public, State of New York
NO. 01MO6059215
Qualified in New York County
Commission Expires June 25, 2011

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